

AFFIDAVIT

1. I, Brandon A. Glover, being duly sworn, state the following information to be true to the best of my knowledge, information and belief:

INTRODUCTION

2. This affidavit is being offered in support of an Application for a Search Warrant to search the person of Jeromon Don Lawery, hereinafter referred to as "LAWERY," described as a black male, date of birth (DOB) October 4, 1983, Social Security Account Number (SSAN) XXX-XX-2292, FBI Number 151791AC2, currently incarcerated at the Knox County Sheriff's Office (KCSO) Detention Facility, 5001 Maloneyville Road, Knoxville, Tennessee 37918, for the seizure of buccal cells (cheek epithelial cells) containing the DNA of LAWERY, which constitutes evidence of the commission of criminal offenses, in violation of Title 18, United States Code, Section 2119 – Carjacking; Title 18, United States Code, Section 924(c)(1)(A) – Knowingly use, carry, and brandish a firearm during and in relation to a crime of violence; and Title 18, United States Code, Section 922(g)(1) – Felon in possession of firearm and ammunition.

AGENT BACKGROUND AND EXPERIENCE

3. I am a Task Force Officer (TFO) with the Federal Bureau of Investigation (FBI) and have been so employed since March, 2015. I am currently assigned to the Knoxville Field Office of the FBI. I was previously assigned to the Appalachia High Intensity Drug Trafficking Area (HIDTA) Task Force for approximately four years. Currently, I am assigned as a TFO with the

FBI Knoxville Violent Crimes Squad/Safe Streets Task Force (SSTF). My primary duties and responsibilities as FBI TFO involve the investigation of violations of federal law including violent crime as found in Title 18 of the United States Code, and the Controlled Substances Act as found in Title 21 of the United States Code. I am a sworn police officer for the City of Knoxville, Tennessee, and have been so employed since October 18, 2004. I am currently an Investigator with the Knoxville Police Department's (KPD) Organized Crime Unit (OCU) and have served in this capacity since approximately 2012. During my tenure as a FBI Task Force Officer and KPD Police Officer and Investigator, I have investigated numerous crimes including, but not limited to: illegal narcotics trafficking, prescription drug fraud and forgery, gangs and organized crime, money laundering, burglary, robbery, carjacking, kidnapping, fugitive violations, and weapons violations. More specifically, I have conducted physical surveillance, executed search warrants, analyzed phone and internet records, and arrested criminal suspects. I have also spoken to confidential human sources, suspects, defendants, witnesses, and other experienced investigators concerning the methods and practices of the criminal element. Also, throughout my tenure as a law enforcement officer, I have attended multiple training opportunities on topics such as interview and interrogation techniques, arrest procedures, evidence collection, search and seizure, search warrant applications, narcotics identification and detection, lawful interception of communications, gang investigations, violent crime investigations, and identification of armed persons (this list is non-exhaustive, as the amount of training I have received both in the field and in a classroom setting is extensive). I am an "Investigative or Law Enforcement Officer" within the meaning of Section 2510(7) of Title 18, United States Code; that is, an officer of the United States who is empowered by law to conduct

investigations of, and to make arrests for, offenses enumerated in Section 2516 of Title 18, United States Code.

4. Except as noted, all of the information contained in this affidavit is either known to me personally or has been told to me by other law enforcement officials. As this affidavit is being submitted for the limited purpose of securing buccal cells (cheek epithelial cells) containing the DNA of LAWERY, I have not included each and every fact known about this investigation.

5. I certify that the FBI is conducting a criminal investigation involving violations of federal laws, including Title 18, United States Code, Section 2119 – Carjacking; Title 18, United States Code, Section 924(c)(1)(A) – Knowingly use, carry, and brandish a firearm during and in relation to a crime of violence; and Title 18, United States Code, Section 922(g)(1) – Felon in possession of firearm and ammunition.

APPLICABLE LAW

6. Title 18, U.S.C. § 2119 punishes whoever, with the intent to cause death or serious bodily harm takes a motor vehicle that has been transported, shipped, or received in interstate or foreign commerce from the person or presence of another by force and violence or by intimidation, or attempts to do so.

7. Title 18, U.S.C. § 924(c)(1)(A) punishes any person who, during and in relation to any crime of violence for which the person may be prosecuted in a court of the United States, uses or carries a firearm, or who, in furtherance of any such crime, possesses a firearm.

8. Title 18, U.S.C. § 922(g)(1) punishes any person who has been convicted in any court of, a crime punishable by imprisonment for a term exceeding one year, who possesses a firearm that has been transported, shipped, or received in interstate commerce.

PROBABLE CAUSE

9. On August 22, 2020, at approximately 1:15 a.m., a black male, hereinafter referred to as “ROBBER,” approached the victim, who was seated in the driver’s seat of his parked, white, 2014 HONDA ACCORD sedan (TN license plate 8H6-2H0) in the parking lot of The Heights of Knoxville apartment complex located at 1319 Knotty Pine Way in Knoxville, Tennessee. The victim, whose identity is known to law enforcement, described the ROBBER as a light-skinned, black male, who was armed with a handgun. The ROBBER pointed the handgun at the victim’s side and instructed the victim to move over from the driver’s seat of the vehicle. The victim was forced to remove his pants and exit the vehicle. The ROBBER fled from the scene in the victim’s white, 2014 HONDA ACCORD sedan (TN license plate 8H6-2H0). Contained within the vehicle were numerous property items that belonged to the victim including, two (2) semi-automatic Glock handguns, an Apple iPhone, an Apple iPad, and an Apple laptop computer.

10. Shortly after the incident, officers with KPD were dispatched to 1319 Knotty Pine Way to make contact with the victim and conduct a preliminary investigation. The victim was able to use a friend’s electronic device to log into his (victim’s) Apple account and access the “Find My iPhone” iOS app, which led to the recovery of the victim’s phone on the roadside near the intersection of Council Place and Sevier Avenue in Knoxville, Tennessee. After returning home to his residence, the victim canceled his credit cards and went to sleep.

11. During the morning of August 22, 2020, the victim contacted Knox County E-911 via telephone and informed the call processor that an unknown person attempted to use his credit card, which was previously deactivated, at the Exxon gas station located at 2901 Whittle Springs Road in Knoxville, Tennessee, at on the aforementioned date. Additionally, the victim advised the Knox County E-911 call processor that he used the “Find My iPhone” iOS app to track his

iPad to a residence located at or near 3610 Lyons Way in Knoxville, Tennessee. The Exxon located at 2901 Whittle Springs Road is approximately 1.5 miles away from Meadowbrook Apartments located at 3610 Lyons Way in Knoxville, Tennessee.

12. On August 22, 2020, at approximately 11:37 a.m., KPD officers were dispatched to 3610 Lyons Way in Knoxville, Tennessee. Upon his arrival at the scene, KPD Lt. Gordon Gwathney observed a black male subject seated inside a white HONDA ACCORD sedan. He observed a second subject, later identified as Desmond Anthony Benford, date of birth (DOB) August 11, 1981, Social Security Account Number (SSAN) XXX-XX-8266, residing at 3610 Lyons Way, Apartment 1304, Knoxville, Tennessee 37917, hereinafter referred to as "BENFORD," standing in close proximity to the white HONDA ACCORD sedan. The subject seated in the white HONDA ACCORD sedan then exited the vehicle and fled on foot. A KPD K-9 officer arrived on the scene to assist with the search for the subject. The subject was apprehended by KPD officers with the assistance of the K-9.

13. During their preliminary investigation at the scene, KPD officers were able to determine that the vehicle occupied by the black male subject was the same white, 2014 HONDA ACCORD sedan that belonged to the victim of the carjacking from 1319 Knotty Pine Way. Additionally, officers identified the black male subject, who exited the white HONDA ACCORD sedan and fled on foot, as LAWERY.

14. A search of the victim's white, 2014 HONDA ACCORD sedan revealed a black backpack with a Tennessee Titans logo, which was located on the backseat of the vehicle. The backpack contained a navy blue ski mask, burglary tools, a wallet containing LAWERY's Tennessee driver's license, and a Glock 43x semi-automatic handgun. The Glock 43x, semi-automatic handgun belonged to the victim. It was located in a plastic case underneath the front

passenger seat of the victim's white, 2014 HONDA ACCORD sedan at the time of the carjacking. The victim's stolen Apple iPad and Apple laptop computer were located inside of the trunk of the vehicle. The victim's Glock 42, semi-automatic handgun was recovered in a storage tray located underneath the center stack of the victim's vehicle.

15. A KPD Forensics Unit Technician was dispatched to process the vehicle and document the recovery of evidence. A KPD Forensics Unit Technician took numerous photographs and swabbed parts of the interior of the victim's vehicle for the presence of human DNA. A red, Tennessee Auto Dealer license plate (34D117) was affixed to rear trunk lid of the victim's vehicle.

16. KPD Violent Crimes Unit (VCU) Investigator Brandon Wardlaw responded to the parking lot of 3610 Lyons Way in Knoxville, Tennessee. The victim also arrived at the parking lot of 3610 Lyons Way in Knoxville, Tennessee. During the investigation, KPD Investigator Wardlaw provided the victim with a photo line-up. The victim successfully identified LAWERY as the subject who stole his (victim's) white, 2014 HONDA ACCORD sedan.

17. BENFORD, who was detained by KPD Officer Nicolas Ferro, was found to be in possession of a semi-automatic handgun and a quantity of marijuana, consented to a search of his residence located at 3610 Lyons Way, Apartment 1304, Knoxville, Tennessee 37917. BENFORD is the lessee of the apartment. BENFORD told KPD officers that LAWERY had been staying with him at the apartment for approximately two weeks. During the consent search, officers recovered several items that belonged to the victim including: a backpack, luggage, clothing, an American Airlines plane ticket with the victim's name on it, a Tennessee license plate (8H6-2H0), which is registered to the victim's vehicle, a black, Hi-Point model C9 9mm semi-automatic handgun with serial number P1254395, and a black Stoeger model M3000

shotgun, serial number 1524570, with a “sawed-off” barrel. The aforementioned Hi-Point model C9 semi-automatic handgun and Stoeger model M3000 shotgun were located in a room of the apartment where LAWERY was staying, according to BENFORD. Additionally, BENFORD informed KPD officers that the property and items in the room belonged to LAWERY.

18. A KPD Forensics Technician also took numerous photographs of the victim’s property, which was recovered inside of BENFORD’s residence. Additionally, the black, Hi-Point model C9 9mm semi-automatic handgun with serial number P1254395, and black Stoeger model M3000 shotgun, serial number 1524570, with a “sawed-off” barrel were swabbed for the presence of human DNA.

19. On August 24, 2020, FBI Special Agent (SA) Wesley P. Leatham conducted a Vehicle Identification Number (VIN) decoder inquiry of the VIN assigned to the HONDA ACCORD on the United States Department of Transportation (USDOT) National Highway Traffic Safety Administration (NHTSA) website, which listed the vehicle’s manufacturing plant as Marysville, Ohio, United States.

20. A review of LAWERY’S NCIC Criminal History revealed that he was previously convicted of a crime punishable by imprisonment for a term exceeding one year.

CONCLUSION

21. Based upon the foregoing, there is probable cause to believe that a DNA sample from LAWERY will contain evidence of the commission of a criminal offense, in violation of Title 18, United States Code, Section 2119 – Carjacking; Title 18, United States Code, Section 924(c)(1)(A) – Knowingly use, carry, and brandish a firearm during and in relation to a crime of violence; and Title 18, United States Code, Section 922(g)(1) – Felon in possession of firearm and ammunition. The DNA sample collected from LAWERY pursuant to this search warrant

will be sent to the FBI Laboratory DNA Casework Unit in Quantico, Virginia, and used for comparison to any DNA sample contained on the aforementioned swabs collected by the KPD Forensics Unit from the interior of the HONDA ACCORD and/or from the black, Hi-Point model C9 9mm semi-automatic handgun with serial number P1254395, and black Stoeger model M3000 shotgun, serial number 1524570, with a "sawed-off" barrel. As such, I request that a Search Warrant be issued for a search of LAWERY'S person for the seizure of buccal cells (cheek epithelial cells) containing the DNA of LAWERY.

FURTHER AFFIANT SAYETH NAUGHT.

Brandon A. Glover
BRANDON A. GLOVER
Task Force Officer
Federal Bureau of Investigation

Subscribed and sworn to before me
on this 11th day of September, 2020.

Debra C. Poplin
DEBRA C. POPLIN
UNITED STATES MAGISTRATE JUDGE